

FORM PTO-1083
MAIL STOP: AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
Alexandria, VA 22313-1450



Docket No.: 200.94107CIP3
Date: September 30, 2005

In re application of: Benjamin OSHLACK, et al.
Serial No.: 09/598,324
Filed: June 20, 2000
For: **POWDER-LAYERED ORAL DOSAGE FORMS**

Sir:

Transmitted herewith is a **Response to Office Action** in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus 20** =			x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus 3*** =	0		x \$ 42	\$		x \$ 84	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$140	\$		+ \$280	\$
				TOTAL: \$		OR	TOTAL: \$	

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☒ Also transmitted herewith are:

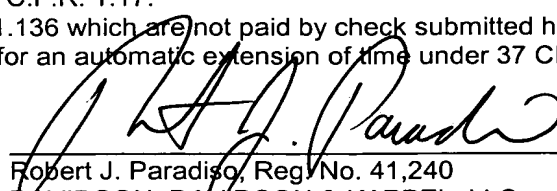
- ☒ Petition for one-month extension under 37 C.F.R. 1.136
- ☒ Other: **Terminal Disclaimers over U.S. 6,077,533 and U.S. 5,411,745**
- ☒ Other: **Statement Under 37 C.F.R. 3.73(b)**

☒ Check(s) in the amounts of \$380.000 is/are attached to cover:

- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
- ☒ Petition fee for one month extension under 37 C.F.R. 1.136 (\$120.00)
- ☒ Other: Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent (2@\$130.00)

☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.

- ☐ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on September 30, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
Elizabeth Pietrowski